

REMARKS/ARGUMENTS

Applicant appreciates the interview granted and conducted courteously by the Examiner, on January 28, 2004, to the applicant and applicants's representative, the undersigned J. Bruce Hoofnagle.

During the interview, applicant and applicant's representative discussed, with the Examiner, the above-noted amendment, which is dated August 11, 2003. In particular, amendments to claims 1, 10 and 16 in response to rejections thereof were discussed, the rejections being based on failure to meet the requirements of 35 U.S.C. §§ 101, 112 (first paragraph) and 112 (second paragraph). The Examiner indicated that the amendments to these claims appeared to overcome the rejections.

Also, during the interview, new independent claims 19 (face piece with two ports and an adapter with an inlet end and two outlet ends), 20 (face piece with a strap extending between two protrusions on the face piece), 23 (face piece with a chin portion) and 24 (face piece with means for receiving at least one finger of person...) were discussed. Applicant's representative noted that this supplemental amendment would be filed to cancel new independent claim 20, and dependent claims 21 and 22.

The Examiner indicated his interpretation of the chin portion and that additional structure may be needed for the claim to be allowable. Further, the Examiner indicated that lateral creases in prior art masks may be used to potentially reject claims directed to the finger receiving means.

Using a model, applicant demonstrated his invention.

During the interview, the Examiner gave no formal indication of allowability, and stated that a new search of the prior art would be necessary.

Applicant is submitting on even date herewith a supplemental information disclosure statement, with authorization to charge the fee required under 37 C.F.R. § 1.17(p) to Deposit Account No. 50-0962.

Appl. No. 09/921,365
Amdt. dated Feb. 4, 2004
Supplemental to amdt dated Aug. 11, 2003

As noted above, applicant is canceling, in this supplemental amendment, claims 20, 21 and 22, and is also canceling claims 27, 28 and 29. In addition, applicant is adding new claims 36, 37, 38 and 39.

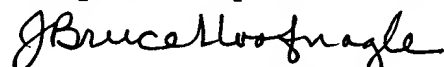
New claims 36 and 37 depend from independent claims 23 (chin portion) and 24 (finger receiving means), respectively, and cover a pair straps and structure for connecting the straps to the face piece. New claim 38 (chin portion) depends from independent claim 10 (face piece with an oral tube and a nasal tube extending through ports of the face piece, and means for simultaneous introduction of oxygen into the tubes). New claim 39 (finger receiving means) also depends from claim 10.

Applicant submits that claims 1 through 19, 23, 24, 25, 26, and 30 through 39 are allowable, and hereby requests such allowance.

Applicant submits that this application is now in condition for allowance, and hereby solicits such allowance.

If the Examiner wishes to discuss this response paper, or any aspects of this application, the Examiner should call applicant's representative, J. Bruce Hoofnagle, at 410 442-2417.

Respectfully submitted,



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February 4, 2004

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